

United States Courts  
Southern District of Texas  
Filed

MAY 17 2018

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

v.

CRIMINAL No.

18CR278

Presmer, LLC and  
Annsley Popov

Defendants.

**INFORMATION**

THE UNITED STATES ATTORNEY CHARGES THAT:

**GENERAL ALLEGATIONS**

1. Presmer, LLC is a limited liability company formed under the laws of Texas on December 22, 2010. At all times relevant to this Information, Annlsey Popov was the principle owner and manager of Presmer which she operated from her residence in Houston, Texas.

2. On December 30, 2010, Annlsey Popov applied to the United States Fish and Wildlife Service (FWS) for a permit authorizing Presmer to import and export wildlife. In the application, Annsley Popov certified that she "read and [was] familiar with the regulations contained within Title 50, Part 13 of the Code of Federal regulations and other applicable parts in subchapter B of Chapter I of Title 50."

3. The Lacey Act, 16 U.S.C. § 3371 et seq., among other things, makes it unlawful to make or submit a false record for wildlife which has been or is intended to be imported, exported, transported, sold, purchased or received from any foreign country.

4. The Endangered Species Act (ESA), 16 U.S.C. § 1531 et seq., among other things, makes it unlawful for any person subject to the jurisdiction of the United States to engage in any trade of specimens contrary to the provisions of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). 16 U.S.C. § 1538(c)(1). Species listed by CITES 183 member nations are placed on one of three appendices and given a sliding scale of protection. 50 CFR Part 23. Appendix I includes species threatened with extinction and is the most restrictive, banning wildlife trade between two countries for commercial purposes. Appendix II allows commercial trade under permit for species not yet considered in danger of imminent extinction but which must be controlled in order to avoid utilization incompatible with survival. Appendix III contains species that are protected in at least one country which has asked the other CITES countries for assistance in controlling trade. Indonesia is a CITES member nation and all species in the python family (*pythonidae*) are listed in Appendix II, with the exception of *python maurus molurus*, which is listed in Appendix I.

5. Under Title 50, Code of Federal Regulations, Chapter I, subchapter B, section 10.12, the term “wildlife” is defined as any wild animal, whether alive or dead, including, without limitation, any wild mammal, bird, reptile, amphibian, whether or not bred, hatched, or born in captivity, and including any part, product, egg or offspring thereof.

6. Under Title 50, Code of Federal Regulations, Chapter I, subchapter B, sections 14.61 and 14.63, all importers and exporters, or authorized agents, must file with the FWS a completed Declaration for Importation or Exportation of Fish and Wildlife Form 3-177 (Declaration Form 3-177), signed by the importer, exporter or agent where FWS clearance is required. Declaration Form 3-177 requires, among other things, an accurate listing of the genus, species and common name of the item

being imported, the quantity being imported, the country of origin, the purpose of the importation, and the identification number of any permit authorizing the importation.

**COUNT 1**

**[18 U.S.C. §§ 545 & 2]**

**(Smuggling Goods into the United States)**

On or about May 17, 2013, in Houston, in the Southern District of Texas, and elsewhere, the defendants:

**PRESMER, LLC and ANNSLEY POPOV**

fraudulently and knowingly imported into the United States certain merchandise, that is, 202 pairs of python-skin sandals, 4 python-skin purses and 131 stingray-skin cuff bracelets, contrary to law, in that the defendants made a false invoice for this imported wildlife, in violation of Title 16, United States Code, section 3372(d), failed to file a completed Declaration for Importation and Exportation of Fish and Wildlife (Form 3-177) for this wildlife contrary to Title 50, Code of Federal Regulations, Section 14.61, and failed to obtain a permit from the country of origin for the python skin merchandise contrary to the provisions of the Convention on International Trade in Endangered Species of Wild Fauna and Flora and Title 16, United States Code, Section 1538(c)(1) .

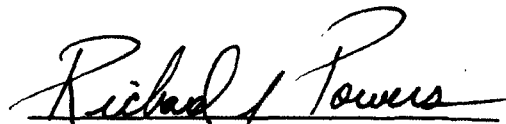
In violation of Title 18, United States Code, Section 545 and Section 2.

**RYAN K. PATRICK**  
**United States Attorney**

By:

  
**Steven T. Schammel**  
**Assistant United States Attorney**

By:

A handwritten signature in black ink, appearing to read "Richard J. Powers", written over a horizontal line.

Richard J. Powers

Trial Attorney

Environmental Crimes Section